

Back Country Horsemen of America



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Forest Service Planning NOI
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Re: National Forest System Land Management Planning (New EIS to Replace the 2000 & 2008 Planning Rule)

Your "Background" statement says the rule is "needed to guide land managers" ... and provide "the opportunity to help protect, reconnect, and restore national forests and national grasslands for the benefit of human communities and natural resources," and that the rule "will allow the Agency to integrate forest restoration, watershed protection, climate resilience, wildlife conservation, the need to support vibrant local communities, ..." It's difficult to argue with that intent, but of course the "devil is in the details." Planning rules since 2000 have grossly neglected a very important responsibility – to provide quality recreation opportunities as required by both the Multiple-Use Sustained-Yield Act and the National Forest Management Act. ***No other resource, service or product derived from Forest System Lands touches the lives of more Americans nor has greater opportunity to foster citizen support than does the opportunity to choose from the variety of recreation settings necessary to enjoy a quality recreation experience.***

Since the 2000 planning rule (and subsequent proposed revisions) was approved, guidance to address the recreation resource has been conspicuously absent from your planning direction. As a result, forest plan revisions that we have reviewed lack a clearly defined strategy for integrating recreation into the forest's overall activities. Without a clearly defined strategy – including an inventory of opportunities available and assessment of future demand for those opportunities – it is impossible to determine whether proposed actions "to integrate forest restoration, watershed protection, climate resilience, wildlife conservation" will in fact "support vibrant local communities," provide the optimum mix of recreation opportunities for the American public (which of course goes way beyond the local community), and avoid 'unintended consequences' such as those that we have witnessed during implementation of the Travel Management Rule.

The Proposed Action suggests a number of **Substantive Principles** for a New Rule:

1. “the need for restoration and conservation to enhance the resilience of ecosystems...”
2. “Plans could proactively address climate change...”
3. “Plans could emphasize maintenance and restoration of watershed health...”
4. “Plans could provide for the diversity of species and wildlife habitat...”
5. “Plans could foster sustainable NFS lands and their contribution to vibrant rural economies.”

This principle seems to be a ‘catch-all’ for all the uses, products and services traditionally derived from our forests. In the case of outdoor recreation, meeting the needs and expectations of the American public for quality recreation requires more than simply managing a ‘healthy forest!’ Providing the spectrum or variety of recreation settings necessary to meet the demand for quality recreation necessitates a conscious choice of how those healthy and resilient lands will be allocated and managed – decisions that **must** be made as part of a strategic land management plan.

Relationship to current Forest Service planning direction and implementation:

The USDA Forest Service Strategic Plan for Fiscal Years 2007-2012, signed by past Chief Gail Kimbell included strategic direction for recreation to provide “A variety of high-quality outdoor recreational opportunities on the Nation’s forests and grasslands...” This is quite similar to outcomes that past Chief Dale Bosworth included in his strategic plan for FYs 2004-2008. ***Back Country Horsemen of America whole-heartedly endorses that goal!***

The 2007-2012 Plan goes on to acknowledge “The Forest Service is challenged with sustaining adequate high-quality outdoor recreational experiences to meet the Nation’s needs while maintaining the ecological integrity of national forests and grasslands. The Nation’s population is projected to increase by nearly 50 percent by the middle of this century. The combination of increasing populations and the continued decline of public access to privately owned forest land creates extensive pressure on public lands to provide more recreational opportunities,” and calls for providing the tools and guidance necessary to achieve the goal.

Although the Agency recognizes the challenges ahead in providing for high quality outdoor recreation experiences there is an obvious ‘disconnect’ between the Agency’s Strategic Plan and the guidance in the 2000 planning rule (and subsequent proposed rules) for achieving that goal! As a result forest plan revisions that we have reviewed have been woefully inadequate in identifying the Forest’s potential capabilities and providing long term strategies for addressing the spectrum of recreation settings necessary to provide high quality recreational opportunities.

NFMA requires evaluating the inter-relationships of management activities. The emphasis of the agency in managing the recreation resource has typically been one of preventing recreation impact on other resources and has neglected to consider the affects of other resource management activities on the capability of the agency to provide for quality outdoor recreation opportunities. Every management action that changes attributes of the recreation setting affects the mix of recreation opportunities that is available. The impact of other resource activities on the agency or forest’s capability to provide recreation quality will continue to be ignored until the agency gives equal consideration to long term strategic planning for the recreation resource as a part of the Forest Plan.

The 1982 Planning Rule (36 CFR 219.21) required that “To the degree consistent with needs and demands for all major resources, a broad spectrum of forest and rangeland related outdoor recreation opportunities shall be provided for in each alternative.” Recent planning rules, and consequently recent

land and resource management plan revisions, lack direction for guiding how the agency and forests will fulfill its stewardship responsibilities for outdoor recreation as directed by the Multiple Use – Sustained Yield Act and the National Forest Management Act.

Back Country Horsemen of America requests that guidance from the 1982 rule stating that “To the degree consistent with needs and demands for all major resources, a broad spectrum of forest and rangeland related outdoor recreation opportunities shall be provided ...”, along with the procedural requirements in paragraphs (a) through (g) as stated in the 1982 Planning Rule, be incorporated as a “Substantive Principle” in future planning rules.

Process Principles:

1. “The Agency welcomes and encourages public collaboration throughout the planning process, and will seek to structure a new planning rule to ensure that processes for developing, revising and amending plans are efficient, transparent, and effectively engage the public. After plans are approved, responsible officials will continue to work with the public to resolve issues, to evaluate management under the plan, and to consider whether there is a need to adjust the plan.”

This is a laudable objective, and one the Back Country Horsemen of America would enthusiastically support. However, in our experience, it has been a difficult one for the Agency to fully embrace and even more difficult to accomplish.

Consistent with the recognition that “NFS lands are the public’s lands that the Agency manages in trust for current and future generations,” the collaborative process should involve the public throughout all critical phases of the planning process – defining desired conditions, identifying suitability of areas, developing the strategies to achieve desired conditions, developing standards, monitoring and adapting the plans as necessary.

Response to some of your questions:

- How could the Agency foster collaborative efforts? What kinds of participation, forums ..., and methods ...have you found most engaging?”

The process used in wilderness planning using a public task force representing the socio-political marketplace had a lot of promise. It took a lot of time to develop understanding and trust, and the agency became impatient with the timeframe, but when it was used as intended, there were few appeals and law suits. Seeking consensus is probably unrealistic; however seeking informed consent along with a fairly administered objection process might be achievable. Initially, it may be necessary to conduct parallel processes with publics that have potentially competing interests (such as motorized and non-motorized recreationists) and then combine the process at a later stage to consider resource interactions and tradeoffs.

- What should the rule require to ensure a planning process that is both efficient and transparent ... within a reasonable timeframe? The agency’s impatience in defining a reasonable timeframe is a major barrier to implementing a truly collaborative process. If you ‘shortcut’ the collaborative process, it will take longer to move a decision through appeals and litigation.

- “Should there be a pre-decisional objection or a post-decision appeal process?” Many of the ‘so called’ collaborative efforts we have participated in have been elaborate listening sessions dressed up as collaboration after which the agency retreats to its traditional and comfortable ‘in house’ analysis and decision process. The public often lacks the financial resources to litigate decisions, and the ownership developed within the planning team during such an ‘in house’ process often makes a formal appeals process the only affordable recourse. If the agency can embrace and implement a truly collaborative process, Back Country Horsemen would conditionally favor a pre-decisional objection process.

2. BCHA supports an “all-lands approach” to planning. The agency’s negligence in addressing the recreation resource in recent plan revisions has not allowed the coordination necessary to achieve this goal, at least as related to opportunities for an expanded variety of recreation opportunities. The National Forest System will not be able to meet all future needs for all types of outdoor recreational use and all users. A strategic approach to recreation planning should coordinate with respective states in their State Comprehensive Outdoor Recreation Plan and with counties, and major municipalities as appropriate, in their planning efforts to evaluate the capabilities of all providers and determine appropriate roles for each based on their unique capabilities. Forests should focus on providing the settings for which they are uniquely suited and that necessitate large areas of relatively undeveloped wildland -- including the infrastructure that facilitates enjoyment of those settings. Adjoining jurisdictions would help connect communities and forests through planning for a continuity of trails, trail heads, transportation systems, roads, and recreation facilities that would meet future demand for such recreational infrastructure.

In response to some of your questions:

- “How can the planning rule support the creation of a shared vision...?” That would seem to be the objective of having a collaborative process. If you take the time necessary and structure the process adequately to gain the trust and involvement of interested publics you should have that shared vision. BCHA recognizes that there are some interests, even within our own organization, that will fail to participate throughout the process. It would be appropriate to limit objections or appeals provisions to those publics that have been involved, and to issues and concerns raised in a timely manner throughout the process. The agency should not be held responsible for attaining a “shared vision,” among those who neglect to fulfill their responsibility for being partners in the process.
- Are land management plans “strategic documents” or “project or activity decisions?” It is difficult to imagine how a plan that would be in effect for 15 years, or more, could effectively include both strategic and implementation actions necessary to achieve a desired condition. BCHA would favor a long range land management planning process that addresses strategy, and short term project specific plans as necessary to accomplish that strategy.

Back Country Horsemen of America appreciate the opportunity to comment on the proposal for an EIS to replace the 2000 & 2008 Planning Rule. Please place us on your mailing list for future mailings regarding this project.

A handwritten signature in black ink that reads "Dennis Dailey". The signature is written in a cursive style with a prominent loop at the end of the last name.

Dennis Dailey, Senior Advisor
Wilderness, Recreation and Trails